

THE ALASKA WORKFORCE INVESTMENT BOARD

BYLAWS

Proposed revisions to Article VI, Section 1 and Article III, Section 2

DRAFT

Pursuant to Alaska Statute Section 23.15.550 and USC 2801 -2945 (Workforce Investment Act of 1998), a state human resource investment board has been established, hereby known as the Alaska Workforce Investment Board.

ARTICLE I

NAME AND ADMINISTRATIVE SUPPORT

Section 1. The name of this organization is the Alaska Workforce Investment Board (AWIB). For purposes of these bylaws, the AWIB shall be referred to as the Board.

Section 2. The Department of Labor & Workforce Development shall provide administrative support to the Board. All correspondence for the Board may be addressed in care of:

Alaska Workforce Investment Board
Department of Labor & Workforce Development
1016 West 6th Avenue, Suite 105
Anchorage, AK 99501

ARTICLE II

PURPOSE AND MISSION

The Alaska Workforce Investment Board's purpose is to develop and implement an efficient, effective and integrated state human resource investment system. The comprehensive system will provide employment education and training programs, and services to insure that all Alaskans have the skills and opportunities necessary to earn a living wage. A skilled workforce will be critical in meeting future business needs of the state, and will encourage growth of business and industry. The Board advises the Governor of human investment needs and recommends ways to meet those needs, while maximizing federal funds and avoiding duplication of effort.

ARTICLE III

POWERS, FUNCTIONS AND OVERSIGHT RESPONSIBILITIES

Section 1. The Board acts in an advisory capacity to the Governor of the State of Alaska and to the programs and departments administering programs under the Board's oversight. Oversight is defined within the scope of activities and programs, included in Sections 2 and 3 below.

Section 2. The Board shall:

- (a) Create a statewide strategic plan for the coordination, delivery, monitoring and evaluation of all human resource programs under Board oversight. Such plan will be submitted to the Governor biannually. The plan shall include:
 - (1) the Board's goals, objectives, and performance measures;
 - (2) coordination criteria for linkages among employment, training and education agencies;
 - (3) performance standards and determination of variations of standards for the local Workforce Investment Boards (LWIBs) under the Act;
- (b) recommend local Workforce Investment Areas to the Governor;
- (c) provide policy guidance, review and recommend improvements for the effectiveness of programs administered by the LWIBs;
- (d) plan resource allocations not subject to federal or state formula;
- (e) advise the Governor on LWIB job training plans and certify the consistency of such plans with criteria established under state workforce investment plan and the biennial AWIB Strategic Plan;
- (f) review and comment on all state plans related to employment, employment education, training, and related services with comments provided to the Governor, relevant state and/or federal agencies, and upon request by the Legislature and the public;
- (g) make an annual report to the Governor as well as other reports and studies recommended by the Board;
- (h) in coordination with the appropriate state agencies, identify the employment and training and vocational education needs throughout the state and assess the extent to which employment and training, vocational education, rehabilitation services, public assistance, economic development and other federal, state and local programs and services represent a consistent, integrated and coordinated approach to meeting these needs;
- (i) execute those duties required by the Workforce Investment Act of 1998;
- (j) apply for, receive, and distribute grants to further the mission, goals, strategies and objectives of the Board.

Section 3. The Board shall act as the lead state planning and coordinating entity for state human resource programs including but not limited to:

- (1) 29 U.S.C. 2801-2945 (Workforce Investment Act of 1998);

- (2) 29 U.S.C. 2301 - 2471, Carl D. Perkins Vocational and Applied Technology Education Act;
- (3) 20 U.S.C. 1201 - 1213d Adult Education Act;
- (4) 29 U.S.C. 49 - 491-1 Wagner Peyser Act;
- (5) federal law for work programs for needy families with children under the social security act;
- (6) the employment program established under 7 U.S.C. 2015(d)(4) (7), Food Stamp Act of 1977
- (7) all federal programs designated as successors to the programs listed in (1) - (6) of this section; and
- (8) all state laws involving employment training, vocational education, workforce development, and (Sec. 5 ch 61 SLA 1995), which include the State Training and Employment Program.

ARTICLE IV

MEMBERSHIP

The Board consists of the following voting members not to exceed 26 as mandated in the legislation, which established the Board (Sec. 44.19.620):

- (1) the lieutenant governor, or designee;
- (2) the commissioners of Community & Economic Development, Education & Early Development, Health & Social Services, and Labor & Workforce Development, or a designee for each commissioner;
- (3) one representative from the University of Alaska
- (4) four additional representatives of education - one from local public education, one from secondary vocational education, one from a postsecondary vocational education institution, and one from adult basic education;
- (5) four representatives of business and industry, with at least one representative from the private industry councils appointed under 29 U.S.C. 1512 and subject to reconstitution under 29 U.S.C. 1515;
- (6) four representatives of organized labor that the Governor shall appoint from lists of nominees submitted by recognized state labor organizations;
- (7) at least one representative from an organization representing employment and training needs of Alaska Natives;
- (8) at least one representative of a community-based service organization;
- (9) at least one representative who has personal or professional experience with developmental disabilities;
- (10) at least one and up to four additional members of the private sector to ensure a private sector majority and regional and local representation on the Board.
- (11) Additional non-voting members may be appointed to the Board from government or non-government entities.

ARTICLE V

APPOINTMENTS & TERMS

Section 1. Members of the Board other than the lieutenant governor and commissioners or their designees are appointed by the Governor and serve at the pleasure of the Governor. The voting members of the Board other than the lieutenant governor and commissioners/designees serve for staggered four-year terms and may serve until a successor is appointed. An appointment to fill a vacancy shall be made in the same manner as the original appointment and for the balance of the unexpired term.

Section 2. The Governor shall ensure that individuals appointed to the Board have sufficient expertise to effectively carry out the duties of the Board. This expertise includes: knowledge of the long-term needs of individuals preparing to enter the workforce; the needs of local, state, and regional labor markets; and the methods for evaluating the effectiveness of vocational training programs in serving varying populations.

ARTICLE VI

OFFICERS & ELECTION OF OFFICERS

Section 1. The Board shall elect a chair and vice chair from among the members who are designated representatives of business and industry, (add) and private sector as appointed under AS 23.15.550. Both the chair and the vice-chair serve at the pleasure of the Board. The chair, vice-chair and immediate past chair shall serve as members of the Executive Committee.

The Board Chair shall annually, prior to December 31st of each year, select a Nominating Committee of members who do not intend to run for elected office. The Nominating Committee shall contact board members to solicit eligible candidates for the two elected offices, Chair and Vice-Chair. . A notice of election and list of eligible nominated candidates will be sent to Board members no less than thirty days before the meeting when elections will be held. The election of officers will be held at the subsequent meeting of the Board, under New Business.

Section 2. Term of Office. The Chair and Vice-Chair will be elected annually.

ARTICLE VII

MEETINGS & QUORUM

The Board shall hold no more than three meetings annually. The Board shall meet at the call of the chair to conduct its business. A majority of the appointed members constitutes a quorum.

ARTICLE VIII ATTENDANCE

Section 1. A Board member who misses two consecutive face-to-face or teleconference board (add) or committee meetings shall receive a letter from the Chair encouraging more consistent attendance. A Board member who misses three consecutive face-to-face or teleconference board (add) or committee meetings will have their attendance reviewed by the Executive Committee for removal from the Board.

Section 2. These attendance rules do not apply to meetings of committees. However, Board members are expected to participate to the best of their abilities on committees and at the meetings of committees. ~~DELETE THIS SECTION~~

ARTICLE IX DELEGATES/DESIGNEES:

All Board members may select a designee to represent them and vote for them at Board meetings. The name of the designee must be submitted by the Board member to the chair for referral to the Office of the Governor Boards & Commissions office, and no designee will be seated until approved by the Governor.

~~ADD~~ A member of the board under (a) of Sec.23.15.550 may appoint a designee to serve in place of the member for a meeting. The member shall appoint the designee for that meeting in writing.

ARTICLE X COMMITTEES

Section 1. The Board has established an Executive Committee and six standing committees to conduct its business.

Section 2. The Board chair will appoint the chairs of the six standing committees.

Section 3. The Executive Committee is made up of the Board chair, vice-chair, past chair and the six chairs of the standing committees. All board members may attend any Executive Committee meeting.

The Executive Committee shall:

- (1) have duties and powers assigned by the Board
- (2) have the authority to take action on behalf of the Board (when lacking necessary quorum; in case of an emergency, etc.)
- (3) report to the Board, in a timely fashion, on actions taken on behalf of the Board

(4) supervise the affairs of the Board between regular meetings.

Section 4. The Assessment and Evaluation Committee. Assessment and evaluation of programs, initiatives and delivery of services by this committee will help ensure equitable distribution of quality education, training and employment services statewide, especially to rural areas and areas serving economically disadvantaged citizens. This committee will call for and monitor the workforce development system for increased accountability in performance and continuous quality improvement along the goals and strategies of the Board's overall statewide human resource investment strategic plan. The Assessment and Evaluation Committee will also use evaluation and performance measures to gauge customer satisfaction within the workforce system.

Section 5. The Policy and Planning Committee will build policies regarding day-to-day operations and long-term responsibilities of the Board and work to increase awareness of AWIB and its mission throughout the state. This committee will work with all committees on the statewide strategy for workforce investment.

Section 6. The Employment and Placement Committee. This committee will ensure the statewide strategic plan for workforce development addresses customer needs at the local level; moving low-income adults and youth, veterans, and disabled populations into the workforce as a priority of service; promoting hire of Alaskans in jobs that have traditionally been filled with out-of-state workers; tailoring employment and training programs to suit Alaskan business, industry and economic development needs. It will monitor the coordination of service delivery to promote efficiency and prevent overlap of services among programs.

Section 7. The Workforce Readiness Committee will provide oversight for training, education and employment programs to ensure programs are delivering education and training that is relevant to local market needs and the future career goals of Alaskans. It will help coordinate the delivery of programs in a manner that eliminates needless duplication. The committee will build partnerships between employers and quality workforce training programs. It will work to connect the Alaska public and private education system with business, government and labor to ensure Alaskans are receiving workforce readiness skills throughout their education process.

Section 8. A Legislative Work Committee will be appointed by the Chair of the Board to bring issues of concern to the Legislature on behalf of the Board.

Section 9. A Youth Council Committee will be appointed by the Chair of the Board to bring issues of concern to the Board. The Youth Council will develop, recommend and oversee youth employment and training policy in Alaska to ensure that programs deliver a workforce ready to meet the demands of future jobs. It will establish connections between organizations, service providers, educational organizations and Alaska's youth. The Youth Council will broaden the vocational youth employment and

training focus in the community and practice by increasing the awareness that Alaska's youth must participate in creating their own road to the future. It will develop an inventory of available youth workforce and training programs, which will improve the policy and public funding process relating to youth workforce programs. The Youth Council will assist youth in developing natural leadership skills and keys to success, and develop a system to facilitate the youth to motivate themselves.

Section 10. Ad Hoc committees may be appointed by the chair to work on issues of a temporary nature as needed.

Section 11. The administrative staff of the Board in the Alaska Department of Labor and Workforce Development shall provide support and administrative services as needed for the committees.

ARTICLE XI TRAVEL POLICY

The AWIB supports the professional development of its members, in alignment with board goals. Professional development may occur in a variety of ways. If a member wants to travel to or simply attend a conference/meeting/workshop, the member must gain approval. The value of the professional development, the costs involved, departmental approval and the status of AWIB's budget shall be considered as part of final approval process

ARTICLE XII AMENDMENTS TO THE BYLAWS

These bylaws may be approved, amended, or repealed through adoption of Board action by a 2/3 vote of the members present at any regular meeting providing the proposed changes do not conflict with existing federal or state laws, regulations or guidelines.

ARTICLE XIII PARLIAMENTARY PROCEDURE

Only parliamentary procedures as laid out in *Roberts Rules of Order, Newly Revised*, shall prevail in all regularly scheduled and special meetings of the Board and any standing or ad hoc committees thereof.

ARTICLE XIV INDEMNIFICATION

The Board and all committees thereof shall operate within the applicable state and

federal laws. The State of Alaska shall indemnify every member of the Board and his/her executors and administrators against all expenses reasonably incurred by or imposed on him/her in connection with any actions, suit or proceeding at which he/she may be made part by reason of being or having been a member or officer of the Board, except in relation to matters as to which he/she shall be finally adjudged in such conduct, suit, or proceeding to be liable for negligence or misconduct, and in the absence of such final adjudication, indemnification shall be provided only in connection with such matters as to which the Board members are advised by legal counsel that the person to be indemnified committed no such breach of duty. The foregoing right of indemnification shall not be exclusive of any other rights to which such person may be entitled.

ARTICLE XV

CONFLICT OF INTEREST

Board members shall disclose any potential or real conflict at the earliest possible time and remove themselves from any key decisions or debates where the outcome may or will have an impact on related activities. Board members shall scrupulously avoid undisclosed conflicts of interest between the interests of the State of Alaska and the Board, and personal, professional, and business interests. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest. Upon or before appointment, each Board member will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and updated as appropriate.

In the course of meetings or activities, a board member shall disclose any interests in a transaction or decision where he/she or his/her family and/or significant other, employer, close associates, including business or other nonprofit affiliations, will receive a benefit or gain. After disclosure, he/she may be asked to leave the room for the discussion and will not be permitted to represent AWIB to external agencies on this issue or vote on the question.

Each board member will be asked to sign a conflict of interest policy document stating his/her understanding that this policy is meant to supplement good judgment, and he/she will respect its spirit as well as its wording.